

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

IN RE

JASON L. WOELHLER,

Debtor.

Case No. 18-12299-CMA

RESPONSE TO DEBTOR'S REQUEST FOR  
ESTIMATION OF CLAIMS

Comes now creditor Russell Brandt (“Brandt”) and responds to Debtor’s Motion for Estimation of Claims as follows:

## J. REQUEST FOR JUDICIAL NOTICE

Attached hereto are court records on file in the matter of *Russell Brandt v. Columbia Credit Services, Inc., et al*, No. 2:17-cv-703-RSM (“2:17-cv-703-RSM”) including a minute entry from the District Court regarding the jury verdict and remaining issues. Brandt requests the Court take judicial notice of these documents as their accuracy cannot reasonably be disputed and they are readily available from a public source, ECF.

## II. RESPONSE

Creditor Russell Brandt's claim filed in this matter relates to his collection abuse claims under the Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.) and Washington's Consumer Protection Act (RCW 19.86 et seq.) brought in 2:17-cv-703-RSM. This Court granted relief from stay so that that action could proceed to trial. Trial was held on September

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ESTIMATION OF  
(18-12299-CMA) -

Case 18-12299-CMIX

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**Leonard Law**  
001 4<sup>TH</sup> AVE, SUITE 3200  
Seattle, WA 98154

Ent. 09/20/18 18:52:35 Pg. 1 of 2

1 17<sup>th</sup> and 18<sup>th</sup>. The jury returned a verdict in favor of Mr. Brant in the amount of \$161,752.00,  
2 exclusive of attorneys' fees, statutory damages of \$1,000.00 under the FDCPA and trebling of  
3 economic damages up to \$25,000.00 under the WCPA. *See* Exhibit 1 attached. Brandt will be  
4 submitting a motion for fees and expect an order of the remaining damages shortly. Brandt's  
5 damages will far exceed Debtor's estimate of \$100,000.00.  
6

7 Brandt requests that the Court deny Debtor's request to estimate damages at this time  
8 and wait for an order from Chief Judge Ricardo Martinez to properly establish the amount of  
9 Brandt's claim. Should this Court wish to estimate Brandt's claim for the purpose of evaluating  
10 Debtor's plan, Brandt request that his claim be estimated at no less than \$375,000.00 inclusive  
11 of all allowable fees, costs and awards.  
12

13 Respectfully Submitted this 20th day of September, 2018.  
14

15 S//Samuel Leonard  
16 SAMUEL LEONARD (WSBA #46498)  
17 Leonard Law  
18 1001 4<sup>th</sup> Ave. #3200  
19 Seattle, WA 98154  
Ph. 206.486.1176  
Fx. 206.458.6028  
sam@seattledebtdefense.com

20 S//SaraEllen  
21 Hutchison  
22 SARAELLEN HUTCHISON (WSBA  
23 #36137)  
24 Law Office of SaraEllen Hutchison, PLLC  
25 2367 Tacoma Avenue South  
26 Tacoma, WA 98402  
Telephone: (206) 529-5195  
Facsimile: (253) 302-8486  
Email: [saraellen@saraellenhutchison.com](mailto:saraellen@saraellenhutchison.com)

27 *Attorneys for Creditor Russell Brandt*  
28

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(18-12299-CMA) - 2

Case 18-12299-CMA Doc 60 Filed 09/20/18 Ent. 09/20/18 18:52:35 Pg. 2 of 2

**Leonard Law**  
1001 4<sup>TH</sup> AVE, SUITE 3200  
Seattle, WA 98154

Ph. (206) 486.1176 F (206) 458.6028